

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

V.

TEXAS INSTRUMENTS, INC., *et al.*,

Defendants.

Civil Action No. 6:12-CV-499-LED

JURY TRIAL DEMANDED

PLAINTIFF’S REPLY IN RESPONSE TO
DEFENDANT MORPHOTRUST’S COUNTERCLAIMS

Plaintiff Blue Spike, LLC files this Reply to the Counterclaims of MorphoTrust USA, Inc. (“MorphoTrust” or “Defendant”) (Dkt. No. 341) as follows. All allegations not expressly admitted or responded to by Plaintiff are denied.

COUNTERCLAIMS

91. Plaintiff admits the allegations of Paragraph 91.
92. Plaintiff admits the allegations of Paragraph 92.
93. Plaintiff admits the allegations of Paragraph 93, upon information and belief.
94. Plaintiff admits the allegations of Paragraph 94.
95. Plaintiff admits the allegations of Paragraph 95.
96. Plaintiff admits the allegations of Paragraph 96.

FIRST COUNTERCLAIM

97. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 91 through 96 above.
98. Plaintiff denies the allegations of Paragraph 98.
99. Plaintiff denies the allegations of Paragraph 99.

SECOND COUNTERCLAIM

100. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 91 through 96 above.

101. Plaintiff denies the allegations of Paragraph 101.

REQUEST FOR RELIEF

Plaintiff denies that Defendant is entitled to any of the relief it requests.

PLAINTIFF'S PRAYER FOR RELIEF

In addition to the relief requested in Plaintiff's Original Complaint, Plaintiff respectfully requests a judgment against Defendant as follows:

- (a) That Defendant take nothing by its Counterclaims;
- (b) That the Court award Plaintiff its costs and attorneys' fees incurred in defending against these Counterclaims; and
- (c) Any and all further relief for the Plaintiff as the Court may deem just and proper.

Respectfully submitted,

/s/ Randall T. Garteiser

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Counsel for Blue Spike, LLC

CERTIFICATE OF SERVICE

I, Randall T. Garteiser, am the ECF User whose ID and password are being used to file this document. I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this day. Pursuant to Federal Rule of Civil Procedure 5, this document was served via U.S. Mail and electronic means to counsel for Defendant that are not receiving this document via CM/ECF.

/s/ Randall T. Garteiser
Randall T. Garteiser